

Troy, Alabama **SMOKEFREE AIR** **Ordinance of 2013** Ordinance No. 335, as amended



A GUIDE FOR BUSINESS OWNERS AND EMPLOYERS

What is the City of Troy Smoke Free Air Ordinance of 2013?

On June 25, 2013, the City Council of Troy voted unanimously to pass an ordinance to eliminate smoking in all public places and workplaces.

Why is this law helpful to me as a business owner?

Compliance with this ordinance will reduce the burden of tobacco on your employees and patrons. Tobacco use, particularly smoking, is the leading preventable cause of death in the United States and is responsible for \$1.49 billion dollars in annual health care costs and \$2.24 billion dollars in lost productivity in Alabama. Eliminating secondhand smoke exposure for employees and patrons, particularly children, makes restaurants and public establishments safer, cleaner, and more enjoyable. Plus, it reduces healthcare costs.

What types of smoking are prohibited?

Any lighted or heated cigarette, cigar, tobacco, tobacco product, plant, plant product, herb, herb product, pipe, waterpipe, hookah, or any other lighted or heated tobacco or plant product intended for inhalation, in any manner or in any form, e-cigarettes which create a vapor, in any manner or in any form or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this ordinance are all prohibited.

Where is smoking NOT allowed?

Smoking is prohibited in all enclosed facilities, including vehicles and buildings and property owned, leased or operated by the City of Troy.

Smoking is prohibited in all enclosed public places and places of employment within the City of Troy, including but not limited to:

- Aquariums, galleries, theaters, libraries, sports arenas, and museums
- Areas available to the general public in businesses and non-profit entities patronized by the public
- Restaurants, cafes, bars, lounges, private clubs, gaming facilities,
- All public and private child care, adult care, educational, health care, and convention facilities
- All private and semi-private rooms in nursing homes
- Hotels and motels
- Lobbies, hallways, and other common areas in apartment buildings, trailer parks, retirement facilities, nursing homes, assisted living facilities, and other multiple-unit residential facilities
- Public transportation vehicles and waiting areas of public transportation facilities, including bus and airport facilities
- Restrooms, lobbies, reception areas, hallways, elevators, service lines, and other common-use areas
- Retail service establishments, banks, laundromats, professional offices, and shopping malls
- Rooms, chambers, places of meeting or public assembly, and polling places

For a more extensive list, please view the entire Ordinance and amendments at www.troyal.gov/smokefree.

The City of Troy, Alabama **SmokeFree Air Ordinance of 2013**

Ordinance No. 335, as amended



Where is smoking prohibited outdoors?

On all outdoor property that is adjacent to buildings owned, leased, or operated by the City of Troy and / or under the control of the City of Troy, including the Downtown Square, and

In and within 20 feet of:

- Outside entrances/exits, operable windows, and ventilation system of enclosed areas where smoking is prohibited
- Outdoor seating or serving areas of restaurants
- All outdoor playgrounds, arenas, stadiums and amphitheaters, including bleachers or grandstands at sporting or other public events
- Public transportation stations, shelters, and platforms under the authority of the City of Troy
- All outdoor service lines, including lines in which service is obtained by persons in vehicles. In lines in which service is obtained by persons in vehicles, smoking is prohibited by both pedestrians and person in vehicles, but only within 20 feet of the point of service
- In outdoor common areas of apartment buildings, condominiums, trailer parks, retirement facilities, nursing homes, and other multi-unit residential facilities, except in designated smoking areas, not to exceed twenty-five percent (25%) of the total outdoor common area, which must be located at least 20 feet outside entrances, operable windows, and ventilation systems of enclosed areas where smoking is prohibited
- All outdoor places of employment where two or more employees are required to be in the course of their employment. This includes, without limitation, work areas, construction sites, temporary offices such as trailers, restroom facilities, and vehicles

Where is smoking not regulated?

In private residences, unless used as a childcare, adult day care, or health care facility.

Should signs be posted?

All businesses and public places are required to:

- Clearly and conspicuously post at the main entrance a minimum of one "No Smoking" sign, which can be the international "No Smoking" symbol. The City of Troy will provide one window decal for every business license holder within the city limits of Troy. Additional decals can be purchased at the License and Inspection office in City Hall. Decal Logo is available for download at www.troyal.gov/smokefree.
- Vehicles that are considered a place of employment must also post a "No-Smoking" sign that is visible from the exterior.

Should I remove ashtrays?

Remove all ashtrays from any area where smoking is prohibited by this ordinance, except for ashtrays displayed for sale and not for use on the premises.

Can customers or employees report a violation?

Yes. Anyone may report violations of the City of Troy Smoke Free Air Ordinance of 2013 by filing a complaint with the City of Troy Police Department.

The City of Troy, Alabama **SmokeFree Air Ordinance of 2013**

Ordinance No. 335, as amended



What do I do if someone "lights up" in my business?

- First, tell the person about the ordinance and ask the person to stop smoking. It may be helpful to point to the "No Smoking" signage at the doorway. Ask them to simply step outside at least 20 feet away if they would like to smoke. In most situations, this should take care of the matter.
- If the person refuses to stop smoking, then ask them to pay up and leave immediately.
- If they refuse to leave, then call the police.

What can you do to prepare the workplace?

Most local workplaces are already smokefree, but if you currently allow smoking on the premises of your business, here are some ideas for implementation.

- Update your policies then tell your employees.
- Announce your new policies at regular meetings.
- Include information in your company newsletter.
- Post flyers on bulletin boards and other locations frequented by employees. The City of Troy Smoking Prohibited Decal Logo is available for download at www.troyal.gov/smokefree.
- Distribute payroll enclosures to publicize the new policies.
- Ask employees to report problems directly to the manager or owner of the business or to the building's management.
- Remove ashtrays from tables, counters, break rooms, hallways and restrooms.
- Place smoking receptacles in a designated area at least 20 feet outside of any entrance, exit, window, vent or air intake system.
- Plan how you will respond to complaints and violations as you do with other employee rules and guidelines.

For workplaces that serve customers and are going smokefree for the first time:

- Advise staff to take reasonable steps toward implementation but to avoid confrontations that may result in physical harm.
- Designate and prepare specific outdoor smoking sites utilizing signage and provide safe containers for discarded cigarettes.
- Talk with your customers about the new law and prepare them for the changes.
- Focus on the health aspects and other benefits of going smokefree.

What do I need to do to comply with the new ordinance?

- Update your workplace smoking policy, if needed.
- Discuss the new ordinance with employees including what they should do to comply. Information about the ordinance must be communicated to all current employees and to each prospective employee upon application for employment.
- Post "No Smoking" signage at your main entrance and in all company vehicles.
- Request any person smoking to refrain from smoking inside the workplace.
- Refer to the ordinance and to workplace policy when dealing with employees who smoke in the workplace.
- Remind employees that they may be assessed a criminal fine for infractions.
- Remove all ashtrays from the premises.
- Designate a 20 foot smoke-free buffer from any entrance, exit, window, vent or air intake system.

The City of Troy, Alabama **SmokeFree Air Ordinance of 2013**

Ordinance No. 335, as amended



How can I support my employees who want to quit smoking?

The Alabama Tobacco Quitline offers FREE information to anyone interested in quitting tobacco use, or to anyone who wants more information about quitting. They offer FREE master's level counseling, a personalized quit plan, and two weeks of free nicotine patches if you are enrolled in support services. If you are taking certain medications, your doctor will be asked to approve the patches for you.

Call the Alabama Tobacco Quitline or register online for more information. They want to help you quit. All Quitline services and Alabama QuitNow services are free to Alabama residents. Call 1-800-QUITNOW or 1-800-784-8669.

What are the penalties to business owners?

- A business that permits smoking can be fined up to \$100 for a first violation, \$200 for a second violation within the one year, and \$500 for each additional violation within one year, plus any applicable court costs.
- The City may also suspend or revoke permits or licenses issued for the premises on which the violation occurred.

To see the complete list of penalties and other enforcement measures, please view the entire Ordinance at www.troyal.gov/smokefree.

Is this all the information or how can I get more Information about the City of Troy Smoke Free Air Ordinance of 2013?

The explanations in this guide are intended for general guidance only, for complete information, please view the entire Ordinance and amendments at www.troyal.gov/smokefree or call (334) 566-0177.



The City of Troy, Alabama

Troy City Hall

301 Charles W. Meeks Avenue

PO Box 549

Troy, Alabama 36081

(334) 566-0177

Fax: (334) 670-6061

Email: contact@troyal.info

www.troyal.gov